UNITED
NATIONS

A

General Assembly

Distr.
LIMITED

A/C.2/47/L.61
27 November 1992

ORIGINAL: ENGLISH

Forty-seventh session
SECOND COMMITTEE
Agenda item 79

REPORT OF THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

Malaysia: draft resolution

Institutional arrangements to follow up the United Nations Conference on Environment and Development

The General Assembly,

Welcoming the adoption by the United Nations Conference on Environment and Development of Agenda 21, 1/ in particular chapter 38, entitled "International institutional arrangements", which contains a set of important recommendations on institutional arrangements to follow up the Conference,

Stressing the overall objective of the integration of environment and development issues at the national, subregional, regional and international levels, including the United Nations system institutional arrangements, and the specific objectives recommended by the Conference in paragraph 38.8 of Agenda 21,

Taking note of the report of the Secretary-General, 2/ prepared with the assistance of the Secretary-General of the United Nations Conference on Environment and Development, on institutional arrangements to follow up the Conference, as well as the recommendations and proposals contained therein,

---

1/ A/CONF.151/26 (Vols. I, II and Corr.1 and III).

2/ A/47/598.

1. Endorses the recommendations on international institutional arrangements to follow up the United Nations Conference on Environment and Development as contained in chapter 38 of Agenda 21, particularly those on the establishment of a high-level Commission on Sustainable Development;

Commission on Sustainable Development

2. Requests the Economic and Social Council, at its organizational session for 1993, to set up a high-level Commission on Sustainable Development as a functional commission of the Council in accordance with Article 68 of the Charter of the United Nations in order to ensure the effective follow-up of the Conference, as well as to enhance international cooperation and rationalize the intergovernmental decision-making capacity for the integration of environment and development issues and to examine the progress of the implementation of Agenda 21 at the national, regional and international levels, fully guided by the principles of the Rio Declaration on Environment and Development 3/ and all other aspects of the Conference, in order to achieve sustainable development in all countries;

3. Recommends that the Commission shall have the following functions, as agreed in paragraphs 38.13, 33.13 and 33.21 of Agenda 21:

(a) To monitor progress in the implementation of Agenda 21 and activities related to the integration of environmental and developmental goals throughout the United Nations system through analysis and evaluation of reports from all relevant organs, organizations, programmes and institutions of the United Nations system dealing with various issues of environment and development, including those related to finance;

(b) To consider information provided by Governments, including, for example, in the form of periodic communications or national reports regarding the activities they undertake to implement Agenda 21, the problems they face, such as problems related to financial resources and technology transfer, and other environment and development issues they find relevant;

(c) To review the progress in the implementation of the commitments contained in Agenda 21, including those related to the provision of financial resources and transfer of technology;

(d) To review and monitor regularly progress towards the United Nations target of 0.7 per cent of the gross national product of developed countries for official development assistance. This review process should systematically combine the monitoring of the implementation of Agenda 21 with the review of financial resources available;

3/ See A/CONF.151/26 (Vol. I), chap. I.

(e) To review on a regular basis the adequacy of funding and mechanisms, including efforts to reach agreed objectives of chapter 33 of Agenda 21, including targets where applicable;

(f) To receive and analyse relevant input from competent non-governmental organizations, including the scientific and the private sector, in the context of the overall implementation of Agenda 21;

(g) To enhance the dialogue, within the framework of the United Nations, with non-governmental organizations and the independent sector, as well as other entities outside the United Nations system;

(h) To consider, where appropriate, information regarding the progress made in the implementation of environmental conventions, which could be made available by the relevant Conferences of Parties;

(i) To provide appropriate recommendations to the General Assembly, through the Economic and Social Council, on the basis of an integrated consideration of the reports and issues related to the implementation of Agenda 21;

(j) To consider, at an appropriate time, the results of the review to be conducted expeditiously by the Secretary-General of all recommendations of the Conference for capacity-building programmes, information networks, task forces and other mechanisms to support the integration of environment and development at regional and subregional levels;

4. Also recommends that the Commission shall:

(a) Promote the incorporation of the principles of the Rio Declaration on Environment and Development in the implementation of Agenda 21;

(b) Promote the incorporation of the Non-legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests 4/ in the implementation of Agenda 21, in particular in the context of the review of the implementation of chapter 11 thereof;

(c) Keep under review the implementation of Agenda 21, recognizing that it is a dynamic programme which could evolve over time, taking into account the agreement to review Agenda 21 in 1997, and make recommendations, as appropriate, on the need for new cooperative arrangements related to sustainable development to the Economic and Social Council and, through it, to the General Assembly;

4/ See A/CONF.151/26 (Vol. III).

5. Decides that the Commission, in the fulfilment of its functions, will also:

(a) Monitor progress in promoting, facilitating and financing, as appropriate, the access to and the transfer of environmentally sound technologies and corresponding know-how, in particular to developing countries, on favourable terms, including on concessional and preferential terms, as mutually agreed, taking into account the need to protect intellectual property rights as well as the special needs of developing countries for the implementation of Agenda 21;

(b) Consider issues related to the provision of financial resources from all available funding sources and mechanisms, as contained in paragraphs 33.13, 33.14, 33.15 and 33.16 of Agenda 21;

6. Recommends that the Commission consist of representatives of 53 States elected by the Economic and Social Council from among the Member States of the United Nations and its specialized agencies for three-year terms, with due regard to equitable geographical distribution. The regional allocation of seats could be the same as in the Commission on Science and Technology for Development, as decided in Economic and Social Council decision 1992/222 of 29 May 1992. Representation should be at a high level, including ministerial participation. Other Member States of the United Nations and its specialized agencies, as well as other observers of the United Nations, may participate in the Commission in the capacity of observer, in accordance with established practice;

7. Also recommends that the Commission should:

(a) Provide for representatives of various parts of the United Nations system and other intergovernmental organizations, including international financial institutions, the General Agreement on Tariffs and Trade, regional development banks, subregional financial institutions, relevant regional and subregional economic and technical cooperation organizations and regional economic integration organizations, to assist and advise the Commission in the performance of its functions within their respective areas of expertise and mandates, and participate actively in its deliberations; and provide for the European Economic Community, within its areas of competence, to participate - as will be appropriately defined in the Commission on Sustainable Development rules of procedure - fully, without the right to vote;

(b) Provide for non-governmental organizations, including those related to major groups as well as industry and the scientific and business communities, to participate effectively in its work and contribute within their areas of competence to its deliberations;

8. Requests the Secretary-General, in the light of paragraph 7 above, to submit, for the consideration of the the Economic and Social Council at its organizational session for 1993, his proposals on the rules of procedure of the Commission, including those related to participation of relevant

intergovernmental and non-governmental organizations, as recommended by the United Nations Conference on Environment and Development, taking into account the following:

(a) The procedures, while ensuring the intergovernmental nature of the Commission, should allow its members to benefit from the expertise and competence of relevant intergovernmental and non-governmental organizations;

(b) The procedures should permit relevant intergovernmental organizations inside and outside the United Nations system, including multilateral financial institutions, to appoint special representatives to the Commission;

(c) The rules of procedure of the Economic and Social Council and the rules of procedure of its functional commissions;

(d) The rules of procedure of the United Nations Conference on Environment and Development;

(e) Decisions 1/1 5/ and 2/1 6/ of the Preparatory Committee for the United Nations Conference on Environment and Development;

(f) Paragraphs 38.11 and 38.44 of Agenda 21;

9. Recommends that the Commission on Sustainable Development shall meet once a year for a period of two to three weeks. The first substantive session of the Commission will be held in New York in 1993, without prejudice to the venue of its future sessions;

10. Requests the Committee on Conferences to consider the need for readjusting the calendar of meetings in order to take account of the interrelationship between the work of the Commission and the work of other relevant United Nations intergovernmental subsidiary organs, in order to ensure timely reporting to the Economic and Social Council;

11. Recommends that in 1993, as a transitional measure, the Commission hold a short organizational session in New York. At that session, the Commission will elect the Bureau of the Commission, consisting of a Chairperson, three Vice-Chairpersons and a Rapporteur, coming from each of the regional groups, decide on the agenda of its first substantive session and consider all other organizational issues as may be necessary. The agenda of the organizational session of the Commission shall be decided on by the Economic and Social Council at its organizational session of 1993;

5/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 46 (A/45/46), annex I.

6/ Ibid., Forty-sixth Session, Supplement No. 48 (A/46/48), vol. I, annex I.

12. Recommends that the Commission, at its first substantive session, adopt a multi-year thematic programme of its work that will provide a framework to assess progress achieved in the implementation of Agenda 21 and ensure an integrated approach to all of its environment and development components as well as linkages between sectoral and cross-sectoral issues. This programme could be of clusters that would integrate in an effective manner related sectoral and cross-sectoral components of Agenda 21 in such a way as to allow the Commission to review the progress of the implementation of the entire Agenda 21 by 1997. This programme of work could be adjusted, as the need may arise, at the future sessions of the Commission;

13. Requests the Secretary-General to submit his proposals for such a programme of work during the organizational session of the Commission;

14. Recommends further that in order to carry out its functions and implement its work programme effectively the Commission consider organizing its work on the following lines:

(a) Financial resources, mechanisms, transfer of technology, capacity-building, and other cross-sectoral issues;

(b) Review of implementation of Agenda 21 at the international level, as well as at the regional and national levels, including the means of implementation, in accordance with paragraph 12 above and the functions of the Commission, taking into account, where appropriate, information regarding the progress in the implementation of relevant environmental conventions;

(c) A High-level Meeting, with Ministerial participation, to have an integrated overview of the implementation of Agenda 21, to consider emerging policy issues and to provide necessary political impetus to the implementation of decisions of the United Nations Conference on Environment and Development and commitments contained therein;

Review and consideration of implementation of Agenda 21 should be in an integrated manner;

15. Requests the Secretary-General to provide for each session of the Commission, in accordance with the programme of work mentioned in paragraph 12 above and in accordance with its organizational modalities, analytical reports containing information on relevant activities to implement Agenda 21, progress achieved and emerging issues to be addressed;

16. Also requests the Secretary-General to prepare, for the first substantive session of the Commission, reports containing information and proposals, as appropriate, on the following issues:

(a) Initial financial commitments, financial flows and arrangements to give effect to the decisions of the Conference from all available funding sources and mechanisms;

(b) Progress achieved in facilitating and promoting transfer of environmentally sound technologies, cooperation and capacity-building;

(c) Progress in the incorporation of recommendations of the United Nations Conference on Environment and Development in the activities of international organizations and measures undertaken by the Administrative Committee on Coordination to ensure that sustainable development principles are incorporated in programmes and processes within the United Nations system;

(d) Ways in which, upon request, the United Nations system and bilateral donors are assisting countries, particularly developing countries, in the preparation of national reports and national Agenda 21 action plans;

(e) Urgent and major emerging issues that may be addressed in the course of the high-level meeting;

17. Decides that organizational modalities for the Commission should be reviewed in the context of the overall review and appraisal of Agenda 21 during the special session of the General Assembly and adjusted, as may be required, to improve its effectiveness;

Relationship with other United Nations intergovernmental bodies

18. Recommends that the Commission, in discharging its functions, submit its consolidated recommendations to the Economic and Social Council and, through it, to the General Assembly, to be considered by the Council and the Assembly in accordance with their respective responsibilities as defined in the Charter of the United Nations and the relevant provisions of paragraphs 38.9 and 38.10 of Agenda 21;

19. Recommends that the Commission actively interact with other intergovernmental United Nations bodies dealing with matters related to environment and development;

20. Emphasizes that the ongoing restructuring and revitalization of the United Nations in the economic, social and related fields should take into account the organizational modalities for the Commission on Sustainable Development, with a view to optimizing the work of the Commission and other intergovernmental United Nations bodies dealing with matters related to environment and development;

Coordination within the United Nations system

21. Requests all United Nations specialized agencies and related organizations of the United Nations system to strengthen and adjust their activities, programmes and medium-term plans, as appropriate, in line with Agenda 21, in particular regarding projects for promoting sustainable development, in accordance with paragraph 38.28 of Agenda 21, and make their

reports on steps they have taken to give effect to this recommendation available to the Commission on Sustainable Development and the Economic and Social Council in 1993 or, at the latest, in 1994, in accordance with Article 64 of the Charter of the United Nations;

22. Invites all relevant governing bodies to ensure that the tasks assigned to them are carried out effectively, including the elaboration and publication on a regular basis of reports on the activities of the organs, programmes and organizations for which they are responsible, and that continuous reviews are undertaken of their policies, programmes, budgets and activities;

23. Invites the World Bank and other international, regional and subregional financial and development institutions, including the Global Environment Facility, to submit regularly to the Commission on Sustainable Development reports containing information on their experience, activities and plans to implement Agenda 21;

24. Requests the Secretary-General to submit to the Commission on Sustainable Development, at its substantive session of 1993, recommendations and proposals for improving coordination of programmes related to development data that exist within the United Nations system, taking into account provisions of paragraph 40.13 of Agenda 21, inter alia, regarding "Development Watch";

United Nations Environment Programme, United Nations Development Programme, United Nations Conference on Trade and Development and United Nations Sudano-Sahelian Office

25. Requests the Governing Councils of the United Nations Environment Programme, the United Nations Development Programme and the Trade and Development Board to examine the relevant provisions of chapter 38 of Agenda 21 at their next sessions and submit reports on their specific plans to implement Agenda 21 to the General Assembly at its forty-eighth session, through the Commission on Sustainable Development and the Economic and Social Council;

26. Takes note of the work of the United Nations Centre on Urgent Environmental Assistance, established by the Governing Council of the United Nations Environment Programme on experimental basis, and invites the Governing Council to report to the General Assembly at its forty-eighth session on the experience gained within the Centre;

Regional commissions

27. Requests United Nations regional commissions to examine the relevant provisions of chapter 38 of Agenda 21 at their next sessions and submit reports on their specific plans to implement Agenda 21;

28. Further requests the Economic and Social Council to decide on the arrangements required so that the reports of regional commissions with the conclusions related to such a review be made available to the Commission on Sustainable Development in 1993, or at the latest in 1994;

High-level Advisory Board

29. Endorses the view of the Secretary-General that the High-level Advisory Board should consist of eminent persons broadly representative of all regions of the world, with recognized expertise on the broad spectrum of issues to be dealt with by the Commission on Sustainable Development, drawn from relevant scientific disciplines, industry, finance and other major non-governmental constituencies, as well as various disciplines related to environment and development, and that due account should also be given to gender balance; 7/

30. Decides that the main task of this Board is to give broad consideration to issues related to implementation of Agenda 21, taking into account the thematic multi-year programme of work of the Commission on Sustainable Development, and provide expert advice in that regard to the Secretary-General and, through him to the Commission, the Economic and Social Council and the General Assembly;

31. Takes notes of the views of the Secretary-General regarding the functions of the Board and of the Committee for Development Planning, and requests the Secretary-General to submit appropriate proposals to the Economic and Social Council at its organizational session for 1993, including the possibility of organizing expert rosters;

Secretariat support arrangements

32. Requests the Secretary-General to establish, as a clearly identifiable entity, a highly qualified and competent secretariat support structure within the United Nations Secretariat, taking into account gender balance at all levels, the paramount importance of securing the highest standards of efficiency, competence and integrity, and the importance of recruiting the staff on as wide a geographical basis as possible, in accordance with Articles 8 and 101 of the Charter of the United Nations, to provide support for the Commission on Sustainable Development, the Inter-Agency Committee on Sustainable Development and the High-level Advisory Board, on the basis of the following criteria:

(a) It should draw on the expertise gained and the working methods and organizational structures developed during the preparatory process for the United Nations Conference on Environment and Development;

7/ A/47/598, para. 59.

(b) It should work closely with United Nations and other expert bodies in the field of sustainable development and should cooperate closely and cooperatively with the economic and social entities of the Secretariat and the secretariats of relevant organs, organizations and bodies of the United Nations system, including the secretariats of international financial institutions, and it should provide for effective liaison with relevant non-governmental organizations, including those related to major groups, in particular non-governmental organizations from developing countries;

(c) Its location, to be decided after wide-ranging consultations with Member States, should take into account the need to ensure effective implementation of its functions and maximize work efficiency; easy access of all countries to its services; effective interaction with secretariats of other international organizations, financial institutions and relevant conventions whose secretariats have been established definitively or on an interim basis. Whatever the decision on the location of the secretariat, it should have a relevant office in New York or at Geneva, as appropriate. It should also have a liaison office in Nairobi, on the basis of arrangements for the United Nations Conference on Environment and Development;

(d) It should be headed by a high-level official designated by the Secretary-General to work closely and directly with him and with assured access to him, as well as with the heads of relevant organizations of the United Nations system, including the multilateral financial and trade organizations, dealing with the implementation of Agenda 21;

(e) It should be funded from the United Nations regular budget and depend to the maximum extent possible upon existing budgetary resources;

(f) It should be supplemented or reinforced, as appropriate, by secondments from other relevant bodies and agencies of the United Nations system, especially the United Nations Environment Programme, the United Nations Development Programme and the World Bank, taking into account the need to ensure that the work programmes of those organizations are not negatively affected, and national Governments, as well as by appropriate specialists on limited-term contracts from outside the United Nations in such areas as may be required;

(g) It should take into account relevant resolutions and decisions of the General Assembly and the Economic and Social Council regarding women in the United Nations Secretariat;

(h) Sustainable development should be integrated and coordinated with other economic, social and environmental activities of the Secretariat. Organizational decisions should be consistent with consensus resolutions in the context of the restructuring and revitalization of the United Nations in the economic, social and related fields;

33. Requests the Secretary-General to make the necessary interim secretariat arrangements to ensure adequate preparations and support for the

first session of the Commission on Sustainable Development and the work of the Inter-Agency Committee on Sustainable Development;

34. Requests the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the present resolution.